

**CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)  
EXECUTIVE PLANNING COMMITTEE MEETING**

**Tuesday, February 17, 2004  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street  
10<sup>th</sup> Floor Conference Room  
1:00 PM**

**Summary of Minutes**

**COMMITTEE MEMBERS PRESENT:**

Hon. John Cosgrove, Chairman  
Henry Lee Givens  
Theodore Wilde

Marc Buoniconti  
Hon. Luis Morse

**COUNTY ATTORNEY:**

Bruce Libhaber

**OTHERS PRESENT:**

Hilda Fernandez, OCITT Executive Director  
Bob Pearsall, MDT  
Jose Guerra, MDT  
David Tinder, PWD  
Jack Furney, OCITT

Patty David, OCITT  
Clinton Forbes, MDT  
Marlene Amaro, OCITT  
Betty Alexander, DBD  
Pepe Valdes, OCITT

**ROLL CALL**

With a quorum being present, Mr. John Cosgrove called the meeting to order at 5:10 p.m.

**APPROVAL OF MINUTES – JANUARY 16, 2004**

Mr. Cosgrove requested a motion approving the minutes. Mr. Luis Morse moved its approval. The motion was seconded by Mr. Theodore Wilde and carried without dissent.

**COMMITTEE REPORTS**

**CHAIRMAN**

Mr. Cosgrove asked Ms. Hilda Fernandez to update the members on the status of the OCITT/CITT office space and the rental fee assessed by the County. The Chair offered to meet with the County Manager to negotiate the fee if necessary. He informed the members that the Financial Advisor Selection Committee interviewed two perspective applicants but rejected both firms. The Selection Committee further recommended that the process be re-issued but made available with a selection factor for minority firms.

#### **EXECUTIVE DIRECTOR'S REPORT**

Ms. Hilda Fernandez stated that if the County Manager accepts the recommendation of the Selection Committee and recommends rejection of bids and reissuing of the process, an agenda item would be prepared for BCC approval (through the Transportation Committee). In addition, the RFP will have to go back through the Department of Business Development's Review Committee for the establishing of new goals.

Mr. Cosgrove said that it has been over a year since the CITT requested a Financial Advisor and hopes that the process can be resolved quickly.

Mr. Cosgrove asked the County Attorney if a CITT member could meet with a County Commissioner regarding CITT business outside of a publicly noticed meeting. Mr. Bruce Libhaber replied that the Ordinance 02-117 explicitly states the following:

*Trust members shall not lobby directly or indirectly the Mayor, any member of the County Commission or any member of the County staff regarding a project funded in whole or in part by surtax proceeds, or regarding any person or business bidding for or under contract for a project funded in whole or in part with surtax proceeds.*

He further said with regards to the Financial Consultant that the "Cone of Silence" applies to both the CITT and BCC. Therefore, it would prohibit conversation prior to the County Manager issuing his recommendation. Once the County Manager has made a selection the "Cone of Silence" would be lifted.

#### **BUDGET AND FINANCE COMMITTEE**

Mr. Theodore Wilde reported that the Budget & Finance Committee met on February 12, 2004, and the Budget & Finance Subcommittee, consisting of himself and Mr. Buoniconti, met with staff on the OCITT/CITT budgets. The Committee approved the budget and various other items with the exception of the Department of Public Work's (PWD) item regarding the Traffic Sign Installation Program, which was deferred back to the Project Review Committee. He noted that items not given to OCITT staff with ample time cause meetings to be extended, as they must first be reviewed by OCITT staff and CITT members. A discussion was also held as to whether the CITT should formally respond to the Pro Forma. Mr. Buoniconti felt that the response should wait until the financial advisor has been hired and has had an opportunity to review and provide an opinion.

On the issue of the Pro Forma, Mr. Cosgrove stated that he does not believe that the CITT is ready to make a formal response; he suggested that the issue remain in the Budget and Finance Committee.

#### PROJECT REVIEW COMMITTEE

Ms. Fernandez announced that LtCol Colmenares, who is out of town, asked her to inform the members that he visited the City of Hialeah and would provide a report at the next Trust meeting. The Committee approved all the action items. It is also the intent of LtCol Colmenares to visit some of the MDT projects.

#### EXTERNAL AFFAIRS COMMITTEE

Mr. Luis Morse reported that the Committee is in the process of finalizing a comprehensive transportation conference survey questionnaire that will be sent to all the conference attendees. In addition, a questionnaire will be sent to those individuals who were invited to the conference and did not attend. The purpose of the survey is to better assess the community's needs in preparing our next conference, as well develop a comprehensive outreach effort. The Committee had requested information on state and local gas taxes that are generated in Miami-Dade County, collected by the state, and returned by Tallahassee. To answer that question, a presentation was provided by the Center for Urban Transportation Research (CUTR). The report concluded that Miami-Dade County does receive its fair share distribution of our generated state and local gas tax. He asked staff to provide a copy of that report to all Trust members. Lastly, he reported that there are only three municipalities that are not in compliance: City of Golden Beach, Town of Medley, and Village of Biscayne Park. The Board of County Commissioners has approved to withhold funds from non-complying municipalities until they submit all the appropriate documentation.

Mr. Clinton Forbes, Assistant to the MDT Director, stated for the record that the Marketing & Public Relations contracts were deferred during the External Affairs Committee. MDT staff will be meeting with Mr. Morse regarding his concerns before the February 25, 2004, CITT meeting. Mr. Forbes asked whether or not an item would continue to move through the process if it receives a favorable recommendation from all the committees except for one. Mr. Cosgrove replied that the committees can either recommend approval or no action. While it is no one's intent to stop the process, he will respect Committee Chairs if they have issues with any items.

Mr. Buoniconti joined the meeting at 1:40 p.m.

#### COMPLIANCE & OVERSIGHT COMMITTEE

Mr. Givens reported that at the last Compliance & Oversight Committee meeting, Mr. Buoniconti suggested that the Committee should monitor member attendance. Mr. Buoniconti mentioned that there should be a mechanism to remove members who do not attend Trust meetings on a regular basis. Mr. Libhaber added that the Ordinance 02-117 states the following:

*Any Trust member shall be automatically removed if in a given fiscal year he or she is absent from two (2) consecutive meetings without an acceptable excuse, or if he or she is absent from three (3) of the Trust meetings without an acceptable excuse. A member of the Trust shall be deemed absent if he or she is not present at least 75% of the*

*time. An acceptable excuse is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason the Trust by 2/3 vote of its membership deems appropriate.*

Mr. Cosgrove said he is not in favor of publicly embarrassing a Trust member. He asked Ms. Fernandez to notify him if there are any members in that situation. Ms. Fernandez said that she has asked staff to develop a log of every Trust and Committee meeting to reflect the attendance of each member.

Mr. Givens also stated that the Committee approved eight action items that will be considered at the February 25, 2004, Trust meeting.

## **OLD BUSINESS**

### *Internal OCITT Budget*

Ms. Fernandez explained in detail the budget line items for the OCITT/CITT FY 03-04. She also stated that the following documents were distributed:

- 1) Department Business Plan
- 2) PTP Revenue Sources and Uses
- 3) OCITT Budget
- 4) Budget Line-item Justification
- 5) Budgeted Positions
- 6) Positions with Annual Salaries
- 7) County Entities Comparison
- 8) Resolution

Ms. Cosgrove thanked OCITT staff and Mr. Wilde for their hard work putting together the OCITT/CITT budgets. The budgets will be considered at the full Trust meeting of February 25, 2004. Mr. Wilde made a clarification that the "pie charts" included in the agenda package were not approved. In addition, the OCITT staff salaries are part of the County's system and were not reviewed by the committee. Mr. Cosgrove reminded the members that the agreement with the County Manager was that the Trust would have an independent evaluation review of the Executive Director and staff.

## **BUS SERVICE IMPROVEMENT APPROVAL PROCESS**

Ms. Fernandez distributed and presented a "Bus Service Approval Process Flowchart" and County Code 2-150. She stated that MDT will provide the CITT with an "annual work plan" detailing all proposed bus service improvements and its related costs for the next fiscal year in relation to bus service improvements, consistent with the CITT-approved Five-Year Plan. If the annual work plan includes any modifications or deletion to the PTP, which would fall under the provisions of the County Code, Section 2-150, then the OCITT would prepare a PTP amendment for the consideration of the CITT and the BCC. However, if MDT prepares a work plan that includes new projects that do not

fall under the County Code, then the CITT's review of the initial annual work plan would be sufficient.

Mr. Cosgrove said MDT will be operating on a "Performance Based Budget Model," and it will be able to make the necessary changes within parameters. Mr. Cosgrove requested a motion to forward the item to the full Trust meeting. The motion was unanimously approved.

Ms. Fernandez stated that she has asked the County Attorney for a written legal opinion regarding approving changes that are not considered amendments.

Mr. Cosgrove asked staff to review other dates and time for Trust meetings.

#### **ADJOURNMENT**

The Executive Planning Committee meeting adjourned at 2:45 p.m.